

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WILLIAM D. CAVE and PAMELA L. :  
SMITH, on behalf of themselves and all others :  
similarly situated :

CIVIL ACTION

v. :

SAXON MORTGAGE SERVICES, INC. and :  
OCWEN LOAN SERVICING, LLC :

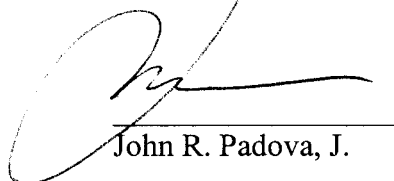
NO. 12-5366

**ORDER**

**AND NOW**, this 7th day of August, 2013, **IT IS HEREBY ORDERED** as follows:

1. The Motion of Defendant Ocwen Loan Servicing, LLC to Dismiss Plaintiffs' Complaint for Failure to State Claim (Doc. No. 18) is **DISMISSED WITHOUT PREJUDICE** and with leave to renew the arguments stated therein in a Response to Plaintiffs' pending Motion for Leave to File an Amended Complaint (Doc. Nos. 35, 36). Defendant shall file its Response no later than August 27, 2013.
2. The Motion of Defendant Saxon Mortgage Services, Inc. to Enlarge Time to Respond to Plaintiffs' Motion for Leave to Amend Complaint (Doc. No. 40) is **GRANTED**. Defendant shall file its Response no later than August 27, 2013.
3. Plaintiffs shall file any Reply to Defendants' Responses no later than September 6, 2013.
4. Defendant Ocwen Loan Servicing LLC's Motion for Leave to File Sur Reply (Doc. No. 43) is **DISMISSED** as moot.

BY THE COURT:



John R. Padova, J.